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EXAMINER

COLIN, CARL G

| ART UNIT | PAPER NUMBER |
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2133

DATE MAILED: 09/17/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/456,692

Applicant(s)

FRY ET AL.

Examiner

Carl Colin

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-102 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-102 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/21/1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other:

DETAILED ACTION

1. Pursuant to USC 131, claims 1-102 are presenting for examination.

Drawings

2. Fig. 1 is objected to as failing to comply with 37 CFR 1.84(p)(5) because it does not include the reference sign (150) mentioned in the description on p.2, line 24 and reference signs (150, 155, and 160) mentioned on p.3, lines 5-7. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. **Claim 62** is objected to because of the following informalities: the period in line 1 should not be present. Appropriate correction is required.
- 3.1 **Claims 77 and 80** are objected to because of the following informalities: line 21 in claim 77 and line 3 in claim 80 contain the term "said information"; in order to avoid rendering the claim indefinite, applicant is suggested to change line 1 of claim 77 to -- a computer system for communicating information comprising: --. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. **Claims 55 and 62** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4.1 **Claim 55** recites the limitation "said first communications program" in lines 1 and 2. **Claim 62** recites the limitation "said first communications program" in lines 3 and 5. There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.1 **Claims 1-14, 16, 19-28, 33-44, 46-47, 50-84** are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,826,014 to **Coley et al.**

5.2 **As per claim 1, Coley et al.** discloses a method of communicating information between network elements (column 2, lines 65 through column 3, lines 1-4) (column 13, lines 45-57) that meet the recitation of communicating information between a first program (fig. 3, element 322) and a second program (fig. 3, element 302) over a network comprising: relaying said information

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between said first program and a proxy agent that meets the recitation of first communications program (column 8, lines 62-67) over a first network connection (fig. 3, element 328); relaying said information between said first communications program and a second communications program (fig. 3, element 308) over a second network connection (fig. 3, element 312), wherein said first communications program creates said second network connection to said second communications program through a first firewall program (fig. 3, element 318), said first firewall program prevents access to said first program initiated by said second program (column 8, lines 40-54), and said second network connection is initiated by said first communications program (column 8, lines 64 through column 9, line1); and relaying said information between said second communications program and said second program over a third network connection (fig. 3, element 306).

As per claim 2, Coley et al. discloses the claimed method of claim 1, wherein said first program, said first communications program, said second communications program and said first firewall program are executed on a first computer system (see col.14, lines 1-13 and fig. 3).

As per claim 3, Coley et al. discloses the claimed method of claim 1, wherein said second communications program and said second program are executed on a first computer system (see col.14, lines 1-13 and fig.3).

As per claim 4, Coley et al. discloses the claimed method of claim 1, wherein said first communications program is a protocol daemon (column 12, lines 45-48).

and said second communications program is a relay program (column 10, lines 44-55 and column 11, lines 1-7).

As per claim 5, Coley et al. discloses the claimed method of claim 1, wherein said first firewall program also prevents access to said first program initiated by said second communications program (column 8, lines 40-54).

As per claim 6, Coley et al. discloses the claimed method of claim 1, wherein said first communications program relays said information between said first and said second network connections (column 9, lines 13-18).

As per claim 7, Coley et al. discloses the claimed method of claim 1, wherein said second communications program relays said information between said second and said third network connections (column 8, lines 17-26).

As per claim 8, Coley et al. discloses the claimed method of claim 1, wherein said first program requires said first network connection to be initiated as an in-bound network connection relative to said first program (column 9, lines 13-18 and column 12, lines 6-9), said first network connection is initiated by said first communications program, and said first network connection is in-bound relative to said first program (column 7, lines 54-55, column 9, lines 13-18, and column 12, lines 6-9).

As per claim 9, Coley et al. discloses the claimed method of claim 1, wherein

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said first firewall program prevents access to said first program by preventing an in-bound network connection to said first program (column 8, lines 40-54), and said second network connection is created as an out-bound network connection from said first communications program to said second communications program (column 12, lines 25-31).

As per claim 10, Coley et al. discloses the claimed method of claim 1, wherein said third network connection is created through a second firewall program, said second firewall program prevents access to said second program initiated by said second communications program (column 13, lines 58-67 and column 8, lines 17-20), and said third network connection is initiated by said second program (column 10, lines 63-67). To one skilled in the art, the addition of a second firewall does not depart from the scope and spirit of the invention described by **Coley et al.** (column 14, lines 1-13).

As per claim 11, Coley et al. discloses the claimed method of claim 10, wherein said second firewall program prevents access to said second program by inhibiting an in-bound network connection to said second program said in-bound network connection being in-bound relative to said second program (column 13, lines 58-67 and column 8, lines 17-20).

As per claim 12, Coley et al. discloses a method of communicating information between a first program (fig. 2, element 214) and a second program (fig. 2, element 206) over a network comprising: relaying said information between said first program and a proxy agent that meets the recitation of first communications program (column 6, lines 4-8) over a first network

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connection (fig. 2, element 212), wherein said first program creates said first network connection to said first communications program through a first firewall program (fig. 2, element 210), said first firewall program prevents access to said first program initiated by a second program, and said first network connection is initiated by said first program; and relaying said information between said first communications program and said second program over a second network connection.

As per claim 13, Coley et al. discloses the claimed method of claim 12, wherein said first program, said first communications program, and said first firewall program are executed on a first computer system (see col.14, lines 1-13, claim 1 and figs. 2 and 3).

As per claim 14, Coley et al. discloses the claimed method of claim 12, wherein said first communications program is a relay program (see claim 1 and column 6, lines 41-50).

5.3 As per claim 16, Coley et al. discloses the claimed method of claim 12, wherein said first firewall program prevents access to said first program by preventing an in-bound network connection to said first program (column 7, lines 10-23), and said first network connection is created as an out-bound network connection from said first program to said first communications program (column 7, lines 54-56).

5.4 As per claim 19, Coley et al. discloses a method of communicating information between network elements (column 2, lines 65 through column 3, lines 1-4 and column 13, lines 45-57)

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that meet the recitation of communicating information between a first program (fig. 3, element 322) and a proxy agent that meets the recitation of a first communications program (column 8, lines 62-67) over a first network connection (fig. 3, element 328), wherein said first program requires said first network to be initiated as an in-bound network connection relative to said first program (column 9, lines 13-18 and column 12, lines 6-9), said first network connection is initiated by said first communications program, and said first network connection is in-bound relative to said first program (column 7, lines 54-55), and relaying said information between said first communications program (column 8, lines 62-67) and a second program (fig. 3, element 308) over a second network connection (fig. 3, element 312), wherein said first communications program creates said second network connection to said second program through a first firewall program (fig. 3, element 318), said first firewall program prevents access to said first program initiated by said second program (column 8, lines 40-54), and said second network connection is initiated by said first communications program (column 8, lines 64 through column 9, line1).

As per claim 20, Coley et al. discloses the claimed method of claim 19, wherein said first program, said first communications program, said second communications program and said first firewall are executed on a first computer system (see col.14, lines 1-13 and fig. 3).

As per claim 21, Coley et al. discloses the claimed method of claim 19, wherein said first communications program is a protocol daemon (column 12, lines 45-48).

As per **claim 22**, **Coley et al.** discloses the claimed method of claim 19, wherein said first firewall program prevents access to said first program by preventing said in-bound network connection to be initiated from a side of said first firewall program that is opposite to a side of said first firewall program to which said first program is coupled (column 8, lines 41 et seq. and column 10, lines 35-43), and said second network connection is created as an out-bound network connection from said first communications program to said second program (column 12, lines 25-31).

Claim 23 is similar to claim 1, except for the step of communicating information between said first program and said second program. **Coley et al.** discloses the claimed method of claim 1 and further discloses the step of communicating information between said first program and said second program communicating said information over said first network connection, said second network connection and said third network connection (column 8, lines 17-54), communicating said information between said first network connection and said second network connection via said first communications program (column 8, lines 42-46), and communicating said information between said second network connection and said third network connection via said second communications program (column 8, lines 17-26).

5.5 **Claims 24-26** are similar to the rejected **claims 2-4**. Therefore, **claims 24-26** are rejected on the same rationale as the rejection of claims 2-4.

5.6 **Claims 27-28** are similar to the rejected **claims 9-10**. Therefore, **claims 27-28** are rejected on the same rationale as the rejection of claims 9-10.

5.7 **Claims 33-35** are similar to the rejected **claims 1, 2, and 5** respectively except for incorporating the claimed methods into a computer program. **Coley et al.** discloses that the invention can be embodied in a computer readable program code (column 13, lines 45-57). Therefore, **claims 33-35** are rejected on the same rationale as the rejection of claims 1,2, and 5.

5.8 **As per claim 36, Coley et al.** discloses the claimed method of claim 33 wherein said first program is executed on a first processor, said first communications program is executed on a second processor, said second communications program is executed on a third processor and said second program is executed on a fourth processor (column 3, lines 1-4 and column 14, lines 1-13). **Coley et al.** uses a separate network element for each program listed above that meets the recitation of processor.

Claim 37 recites the same limitation found in the rejected claim 36. Therefore, **claim 37** is rejected on the same rationale as the rejection of claim 36.

5.9 **Claims 38-43 and 50-53** are similar to the rejected **claims 8-13 and 19-22** respectively except for incorporating the claimed methods into a computer program. **Coley et al.** discloses that the invention can be embodied in a computer readable program code (column 13, lines 45-

57). Therefore, **claims 38-43 and 50-53** are rejected on the same rationale as the rejection of claims 8-13 and 19-22.

5.10 **Claim 44** recites the same limitation found in the rejected claim 37. Therefore, **claim 44** is rejected on the same rationale as the rejection of claim 37.

5.11 **Claims 46-47** are similar to the rejected **claims 14 and 16** respectively. Therefore, **claims 46-47** are rejected on the same rationale as the rejection of claims 14 and 16.

5.12 **As per claim 54, Coley et al.** discloses a network comprising: a first program executed on a first computer (fig. 3, element 324); a first firewall program executed on a second computer (column 8, lines 55-58) coupled to said first computer; a second program executed on a web server (fig. 3, element 314) that meets the recitation of a third computer coupled to said second computer; and a third program executed on a fourth computer (fig. 3, element 302) coupled to said third computer, wherein said first firewall program is configured to prevent access to said first program initiated by said third program(column 8, lines 40-54), said first program is configured to initiate a first network connection to said second program through said first firewall program (column 8, lines 27-41), and said second program and said third program are configured to support a second network connection (fig. 3, element 306) between said second program and said third program.

As per claim 55, **Coley et al.** discloses the claimed network of claim 54, wherein said first program, said first communications program, and said second program are executed on said first computer (column 13, lines 45-57). Since said first communications program is indefinite, examiner interprets said first communications as a proxy agent as disclosed by **Coley et al.** Therefore, to one with ordinary skilled in the art, in addition to the first program, a second program and a proxy application can also be executed on the first computer, said addition does not depart from the scope and spirit of the invention described by **Coley et al.** (column 14, lines 1-13).

As per claim 56, **Coley et al.** discloses the claimed network of claim 54, wherein said second program and said third program are executed on said fourth computer (column 13, lines 45-57).

As per claim 57, **Coley et al.** discloses the claimed network of claim 54, further comprising: a second firewall program executed on a fifth computer coupled between said third computer and said fourth computer (column 13, lines 58-67 and column 8, lines 17-20). To one skilled in the art, the addition of a second firewall does not depart from the scope and spirit of the invention described by **Coley et al.** (column 14, lines 1-13).

As per claim 58, **Coley et al.** discloses the claimed network of claim 54, wherein said second firewall program is configured to prevent access to said third program initiated by said

first program (column 13, lines 58-67). **Coley et al.** further discloses how a network element is protected by a firewall (column 8, lines 43-52).

As per claim 59, Coley et al. discloses the claimed method of claim 54, wherein said second firewall program prevents access to said third program by inhibiting an in-bound network connection to said third program, said in-bound network connection being in-bound relative to said third program (column 13, lines 58-67).

As per claim 60, Coley et al. discloses the claimed network of claim 57, wherein said first firewall program is also configured to prevent access to said first program initiated by said second program (column 8, lines 40-54), and said second firewall program is also configured to prevent access to said third program initiated by said second program (column 13, lines 58-67). **Coley et al.** further discloses how a network element is protected by a firewall (column 10, lines 35-42).

Claim 61 recites the same limitation found in the rejected claim 16. Therefore, **claim 61** is rejected on the same rationale as the rejection of claim 16.

Claim 62 recites the same limitation found in the rejected claim 17. Therefore, **claim 62** is rejected on the same rationale as the rejection of claim 17.

As per claim 63, Coley et al. discloses the claimed network of claim 54, further comprising: a fourth program executed on a fifth computer (fig. 3, element 326) coupled to said first computer, wherein said first program is configured to initiate a third network connection to said fourth program, said third network connection being in bound relative to said fourth program, and said fourth program is configured to require said third network connection to be initiated as an in-bound network connection relative to said fourth program(column 8, lines 27-30). To one skilled in the art, the addition of another computer and another program does not depart from the scope and spirit of the invention described by Coley et al. (column 14, lines 1-13).

5.13 **Claims 64 and 65** recite the same limitation found in the rejected claim 60. Therefore, **claims 64 and 65** are rejected on the same rationale as the rejection of claim 60.

5.14 **Claims 66, 67, and 68** recite the same limitation found respectively in the rejected claims 16, 10, and 59. Therefore, **claims 66, 67, and 68** are rejected on the same rationale as the rejection of claims 16, 10, and 59.

5.15 As per claim 69, Coley et al. discloses a network comprising: a first program executed on a first computer (fig. 3, element 324); a second program executed on a web server (fig. 3, element 314) that meets the recitation of a second computer coupled to said first computer; a first firewall program executed on a third computer (column 8, lines 55-58) coupled to said first computer; and a third program executed on a fourth computer (fig. 3, element 302) coupled to

said second computer, wherein said first firewall program is configured to prevent access to said first program initiated by said third program(column 8, lines 40-54), said first program is configured to initiate a first network connection to said second program through said first firewall program (column 8, lines 27-41), and said second program is configured to initiate a second network connection to said first program, said second network connection being in-bound relative to said first program (column 8, lines 49-52).

As per claim 70, Coley et al. discloses the claimed network of claim 69, wherein said first program, said second program and said firewall program are executed on said first computer (column 8, lines 55-61).

Claim 71 recites the same limitation found in the rejected claim 22. Therefore, **claim 71** is rejected on the same rationale as the rejection of claim 22.

5.16 **Claims 72 and 75** recite the same limitation found in the rejected claim 60. Therefore, **claims 72 and 75** are rejected on the same rationale as the rejection of claim 60. **Coley et al.** further discloses that the firewall can be configured to prevent access to any designated ports (column 6, lines 4-20).

5.17 **As per claim 73, Coley et al.** discloses a method of communicating information between network elements (column 2, lines 65 through column 3, lines 1-4 and column 13, lines 45-57) that meet the recitation of communicating information between a first program (fig. 3, element

322) and a second program (fig. 3, element 302) over a network comprising: creating a first out-bound network connection from a proxy agent that meets the recitation of a first communications program (column 8, lines 62-67) to said first program, wherein said first out-bound network connection is out-bound relative to said first communications program (column 7, lines 54-55, column 9, lines 13-18, and column 12, lines 6-9); creating a second out-bound network connection from said first communications program to said second program through a first firewall program (fig. 3, element 318), wherein said second out-bound network connection is out-bound relative to said first communications program (column 12, lines 25-31) said first firewall program prevents in-bound access to said first program, said in-bound access is a network connection that is in-bound relative to said first program (column 8, lines 40-54), and said first program is configured to accept only an in-bound connection to said first program; and relaying said information between said first out-bound network connection and said second out-bound network connection, said relaying performed by said first communications program (column 9, lines 13-18).

As per claim 74, Coley et al. discloses the claimed method of claim 73, wherein said first communications program is a protocol daemon (column 12, lines 45-48).

Claim 76 recites the same limitation found in the rejected claim 2. Therefore, **claim 76** is rejected on the same rationale as the rejection of claim 2.

Claim 77 is similar to the rejected **claim 73** except for incorporating the claimed methods into a computer system comprising a processor, computer readable medium coupled to said processor, and computer code, encoded in said computer readable medium. **Coley et al.** discloses this embodiment in column 13, lines 45-57. Therefore, **claim 77** is rejected on the same rationale as the rejection of claim 73.

5.18 **Claims 78-79** are similar to the rejected **claims 74 and 75** respectively. Therefore, **claims 78-79** are rejected on the same rationale as the rejection of claims 74 and 75.

5.19 **As per claim 80, Coley et al.** discloses the claimed system of claim 77, **Claim 80** recites the same limitation found in claim 77. Therefore, claim 80 is rejected on the same rationale as the rejected claim 77.

5.20 **Claims 81-83** are similar to the rejected **claims 73-75** respectively except for incorporating the claimed methods into a computer program. **Coley et al.** discloses that the invention can be embodied in a computer readable program code (column 13, lines 45-57). Therefore, **claims 81-83** are rejected on the same rationale as the rejection of claims 73-75.

5.21 **As per claim 84, Coley et al.** discloses the claimed program of claim 81, wherein said first, second, and said third sets of instructions are executed on a single computer system (column 13, lines 45-57 and column 14, lines 1-13).

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6.1. **Claims 85-86** are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,104,716 to **Crichton et al.**

6.2 **As per claim 85, Crichton et al.** in fig.4 discloses a method of communicating information between a first program (fig. 4 element 213) and a second program (fig. 4 element 223) over a network comprising: creating a first out-bound network connection from said first program to a first communications program (fig. 4 element 26) through a first firewall program (see fig.4), wherein said first out-bound network connection is out-bound relative to said first program, and said first firewall program prevents in-bound access to said first program (column

3, lines 41-44); and creating a second out-bound network connection from said second program to said first communications program through a second firewall program (see fig.4), wherein said second out-bound network connection is out-bound relative to said second program, and said second firewall program prevents in-bound access to said second program (column 3, lines 56-60); and relaying said information between said first out-bound network connection and said second out-bound network connection, said relaying performed by said first communications program (column 2, lines 45-55).

As per claim 86, Crichton et al. discloses the claimed method of claim 85, wherein said first communications program is a relay program (column 9, lines 50-67 and column 2, lines 45-55).

As per claim 87, Crichton et al. discloses the claimed method of claim 85, further comprising: creating a third out-bound network connection from said first program to a third program.

As per claim 88, Crichton et al. discloses the claimed method of claim 87, wherein said third out-bound network connection is out-bound relative to said first program and in-bound relative to said third program, and said third program is configured to accept only an in-bound connection to said third program (column 4, lines 51-67. Without departing from the scope and spirit of the invention disclosed by **Crichton et al.**, one with ordinary skilled in the art can add another proxy as mentioned by **Crichton et al.**, as a third program and said third program is

configured to accept only an in-bound connection to said third program. In another embodiment in fig.9, **Crichton et al.** discloses the claimed method of claim 87, wherein said third out-bound network connection is out-bound relative to said first program and in-bound relative to said third program (fig. 9 element 211), and said third program is configured to accept only an in-bound connection to said third program (see fig.9)

As per claim 89, Crichton et al. discloses the claimed method of claim 85, wherein said first program, said first communications program and said first firewall program are executed on a first computer system (column 9, lines 50-67).

As per claim 90, Crichton et al. discloses the claimed method of claim 85, wherein said second program, said first communications program and said second firewall program are executed on a first computer system (column 9, lines 50-67).

6.3 **Claims 91-96** are similar to the rejected **claims 85-90** except for incorporating the claimed methods into a computer system comprising a processor, computer readable medium coupled to said processor, and computer code, encoded in said computer readable medium. **Crichton et al.** discloses this embodiment in column 9, lines 50-67. Therefore, **claims 91-96** are rejected on the same rationale as the rejection of claims 85-90.

6.4 **Claims 97-102** are similar to the rejected **claims 85-90** except for incorporating the claimed methods into a program product encoded in computer readable media **Crichton et al.**

discloses this embodiment in column 9, lines 50-67. Therefore, **claims 97-102** are rejected on the same rationale as the rejection of claims 85-90.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.1 **Claims 15, 17-18, 45, and 48-49** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Coley et al.** in view of US Patent 5,983,350 to **Minear et al.**

7.2 **As per claim 15, Coley et al.** substantially teaches a method of communicating information according to claim 12. However, **Coley et al.** does not explicitly disclose wherein said first firewall program also prevents access to said first program initiated by said first communications program. **Minear et al.** in an analogous art discloses a firewall that prevents access to all in-bound or out-bound traffic unless there is a security association between the source and destination (column 6, lines 41-51). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the firewall of **Coley et al.** to include a firewall that prevents access to all in-bound or out-bound traffic. This modification

would have been obvious because one skilled in the art would have been motivated by the suggestions provided by **Minear et al.** to assure that all incoming traffic is encrypted or authenticated (column 7, lines 13-16).

7.3 **As per claim 17, Coley et al.** substantially teaches a method of communicating information according to claim 12. However, **Coley et al.** does not explicitly disclose wherein said second network connection is created from said second program to said first communications program through a second firewall program. **Minear et al.** in an analogous art discloses a network with a second firewall (see fig. 1) with different levels of security that can prevent access to second program and allow the network to be initiated by said second program (column 6, lines 41-51). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of **Coley et al.** to include a firewall that prevents access to all in-bound or out-bound traffic. This modification would have been obvious because one skilled in the art would have been motivated by the suggestions provided by **Minear et al.** to assure that all inbound traffic is encrypted or authenticated (column 7, lines 13-16).

As per claim 18, Coley et al. substantially teaches a method of communicating information according to claim 17. However, **Coley et al.** does not explicitly disclose wherein said second network connection is created from said second program to said first communications program through a second firewall program. **Minear et al.** in an analogous art discloses a network with a second firewall, wherein said second firewall program prevents access to said second program by inhibiting an in-bound network connection to said second program

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said in-bound network connection being in-bound relative to said second program (column 6, lines 41-51). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of **Coley et al.** to include a firewall that prevents access to all in-bound or out-bound traffic. This modification would have been obvious because one skilled in the art would have been motivated by the suggestions provided by **Minear et al.** to assure that all inbound traffic is encrypted or authenticated (column 7, lines 13-16).

7.4 **Claims 45 and 48-49** are similar to the rejected **claims 15 and 17-18** respectively except for incorporating the claimed methods into a computer program. **Coley et al.** discloses that the invention can be embodied in a computer readable program code (column 13, lines 45-57).

Therefore, **claims 45 and 48-49** are rejected on the same rationale as the rejection of claims 15 and 17-18.

8. **Claims 29-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Coley et al.** in view of US Patent 6,104,716 to **Crichton et al.**

8.1 **As per claim 29, Coley et al.** substantially discloses the claimed method of claim 23, further comprising: providing a first instance of a password to said first communications program (column 11, lines 54-55). The internal network may provide a second instance of said password to said second program having a secure E-mail system (column 8, lines 27-42). **Coley et al.** further discloses transparency on each side of the firewall (column 10, lines 28-43 and column 12, lines 6-24). However, **Coley et al.** does not explicitly disclose the passing of

password and associating network connection using said password. **Crichton et al.** in an analogous art teaches a method of communicating information with password across one or more firewalls using three proxies, one middle and two end-proxies (column 2, lines 28-55). **Crichton et al.** discloses the step of passing said first instance of said password from said first communications program to said first second communications program during creation of said network connection (column 2, lines 38-47) providing said second instance of said password to said second program; passing said second instance of said password from said second program to said second communications program during creation of said third network connection (column 2, lines 28-47); and associating said second connection with said third connection using said first and said second instances of said password (column 2, lines 45-55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of **Coley et al.** to include the steps of passing said first instance and second instance of said password and associating said second connection with said third connection using said first and said second instances of said password. This modification would have been obvious because one skilled in the art would have been motivated by the suggestions provided by **Crichton et al.** to provide for end-to-end privacy and integrity of the communication over the channel and mutual authentication of the users establishing a secure channel (column 2, lines 19-27).

8.2 As per claim 30, **Coley et al.** substantially discloses the claimed method of claim 23.

However, **Coley et al.** does not explicitly disclose the sending of password to a second communications program and entering information regarding said password in a connection list. **Crichton et al.** in an analogous art discloses the claimed method of claim 29, wherein said

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passing said first instance of said password further comprises entering information regarding said second network regarding said password in a connection list maintained by said second communications program (columns 7-8.). **Crichton et al.** discloses that the middle proxy stores information from the two end proxies to initiate a security handshake (see claim 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of **Coley et al.** to include the steps of entering information regarding said second network regarding said password in a connection list maintained by said second communications program. This modification would have been obvious because one skilled in the art would have been motivated by the suggestions provided by **Crichton et al.** to provide for end-to-end privacy and integrity of the communication over the channel and mutual authentication of the users establishing a secure channel (column 2, lines 19-27).

8.3 **As per claim 31, Coley et al.** substantially discloses the claimed method of claim 23. However, **Coley et al.** does not explicitly disclose the matching of passwords and entering information regarding said third network in a connection list. **Crichton et al.** in an analogous art discloses the claimed method of claim 29, further comprises matching said second instance of said password with said password entry in said connection list, said password entry containing said password (column 5, lines 1-16 and column 8, lines 24-52); entering information regarding said third network connection in said connection list; and associating said second and third connections (column 5, lines 1-16 and lines 46 et seq.; column 8, lines 24-52; see also claim 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of **Coley et al.** to include the steps of matching said second instance of

said password with said password entry in said connection list, and entering information regarding said third network connection in said connection list; and associating said second and third connections. This modification would have been obvious because one skilled in the art would have been motivated by the suggestions provided by **Crichton et al.** to construct a secure communications channel or tunnel between two companies or organizations (column 3, lines 4-7).

8.4 As per claim 32, **Coley et al.** substantially discloses the limitation of wherein said associating said second and third connections further comprises relaying said information between said second and third connections (column 10, lines 44-55 and column 11, lines 1-7).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carl Colin whose telephone number is 703-305-0355. The examiner can normally be reached on Monday through Thursday and every other Friday, 8:30-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 703-305-9595. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7239 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

cc

Carl Colin

Patent Examiner

September 4, 2003

Eugene J. Lamarre
for

Albert DeCady
Primary Examiner